

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: City of Imperial

Water System No: 1310006

Attention: Jackie Loper, Public Services Director
420 South Imperial Ave.
Imperial, CA 92251

Issued: January 20, 2017

CITATION FOR NONCOMPLIANCE

**CALIFORNIA HEALTH AND SAFETY CODE, SECTIONS 116555(A)(1)
CALIFORNIA CODE OF REGULATIONS, TITLE 22 SECTIONS 64463.4,
64465(C)(2), 64533(A), & 64537(D)**

THIRD AND FOURTH QUARTER OF 2016

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a citation to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Board, acting by and through its Division of Drinking Water
2 (hereinafter "Division") and the Deputy Director for the Division, hereby
3 issues this citation pursuant to Section 116650 of the CHSC to the City of
4 Imperial (hereinafter "Imperial") for violation of CHSC Section 116555(a)(1),
5 California Code of Regulations, Title 22, (hereinafter "CCR, Title 22")
6 §64463.4, §64469(c), §64533(a), and §64537(d).

7
8 A copy of the applicable statutes and regulations are included in Appendix 1,
9 which is attached hereto and incorporated by reference.

10 11 **STATEMENT OF FACTS**

12 Imperial is classified as a community public water system with a population
13 of 16,145, served through 4,234 connections. Imperial operates under
14 Domestic Water Supply Permit No. 04-14-96P-044, issued on September
15 20, 1996.

16
17 Imperial is a Schedule 3 system under the Stage 2 Disinfection Byproducts
18 Rule (DBPR). As of October 1, 2013, pursuant to CCR, Title 22, Section
19 64534.2(d), Imperial was required to collect two distribution system samples
20 per quarter for Total Trihalomethanes (TTHM) and Haloacetic Acids (HAA5)
21 analyses at four locations approved in their "Stage 2 DBPR Compliance
22 Monitoring Plan" (CMP) letter, dated September 14, 2012 (Appendix 2)
23 Table 1, below.
24

Table 1. Stage 2 Sample Locations

Sample Site	PS Code	Location	Pressure Zone
Site 3	1310006-900	Cedro St	Main Zone - SE
Site 6	1310006-901	5th & Imperial	Main Zone – Center
Site 8	1310006-902	14th & O St	Main Zone - NE
Site 1	1310006-903	W Aten Rd & Sandalwood Glen Ave	Main Zone – SW

On May 4, 2016, the Division issued a Notice of Violation (NOV), (Appendix 3), to Imperial for failure to monitor for disinfection byproducts during the 4th quarter of 2015, and failure to submit the analysis results to the Division's water quality database via EDT.

Per the NOV, samples collected on January 14, 2016 were counted towards the missing 4th quarter 2015 sampling requirements, and samples taken in April 2016 were counted towards the 1st quarter 2016 sampling requirements. These samples will also be used to calculate the four quarter Local Running Annual Average (LRAA) and three quarter Operational Evaluation Level (OEL), and compare the calculated values to the TTHM Maximum Contaminant Level (MCL) of 80 parts per billion (ppb).

Per City of Imperial Request for Stage 2 Sampling Modification email (Appendix 4) dated May 12, 2016, the Division approved a modified schedule, shifting sampling months to February, May, August, and November.

The TTHM results for the 4th quarter 2015 through 4th quarter 2016 for Site 3 are shown in **Table 2**, Site 6 in **Table 3**, Site 8 in **Table 4**, and Site 1 in **Table 5**.

**Table 2: Imperial's 4Q 2015 to 4Q 2016
TTHM Results Site 3 (all results in ppb)**

Sample Site	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 3	58	79	86	120	88
OEL Calculations	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 3	65	77	77	101	96
LRAA Calculations	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 3	63	70	78	86	93
Public Notification					
Required	No	No	No	Yes	Yes
Certification Submitted On Time	N/A	N/A	N/A	No	Yes

**Table 3: Imperial's 4Q 2015 to 4Q 2016
TTHM Results Site 6 (all results in ppb)**

Sample Site	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 6	45	50	50	67	51
OEL Calculations	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 6	45	49	49	59	55
LRAA Calculations	4th Q 2015	1st Q 2016	2nd Q 2016	3rd Q 2016	4th Q 2016
Site 6	43	46	49	53	55
Public Notification					
Required	No	No	No	No	No
Certification Submitted On Time	N/A	N/A	N/A	N/A	N/A

**Table 4: Imperial's 4Q 2015 to 4Q 2016
TTHM Results Site 8 (all results in ppb)**

Sample Site	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 8	60	72	61	83	83
OEL Calculations	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 8	57	68	64	75	78
LRAA Calculations	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 8	53	60	65	69	75
Public Notification					
Required	No	No	No	No	No
Certification Submitted On Time	N/A	N/A	N/A	N/A	N/A

**Table 5: Imperial's 4Q 2015 to 4Q 2016
TTHM Results Site 1 (all results in ppb)**

Sample Site	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 1	52	50	56	90	58
OEL Calculations	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 1	52	53	54	72	66
LRAA Calculations	4 th Q 2015	1 st Q 2016	2 nd Q 2016	3 rd Q 2016	4 th Q 2016
Site 1	49	51	54	62	64
Public Notification					
Required	No	No	No	No	No
Certification Submitted	N/A	N/A	N/A	N/A	N/A

Per **Table 2**, Imperial exceeded the TTHM OEL of 80 ppb at the Site 3 sample site in the 3rd and 4th quarters of 2016. Additionally, Imperial exceeded the TTHM LRAA MCL of 80 ppb at Site 3 in the 3rd and 4th quarters of 2016.

Imperial was informed of the Tier 2 public notification requirements in the CMP letter, (Appendix 2). Per **Table 2**, Imperial failed to timely perform Tier 2 public notification for Stage 2 TTHM LRAA MCL violations in 3rd quarter of 2016.

1 Laboratory analysis of the 3rd quarter of 2016 sample, taken on August 3,
2 2016, was performed by the secondary laboratory on August 11, 2016. The
3 analysis results were provided to the primary laboratory on August 16, 2016,
4 and were picked up by the water system on August 23, 2016. Imperial
5 informed the Division of the 3rd quarter 2016 MCL violation on October 6,
6 2016.

7
8 Laboratory analysis of the 4th quarter of 2016 sample, taken on November 9,
9 2016, was performed by the secondary laboratory on November 15, 2016.
10 The analysis results were provided to the primary laboratory on December
11 1, 2016, and were picked up by the water system on December 6, 2016.
12 Imperial informed the Division of the 4th quarter 2016 MCL violation on
13 January 4, 2017.

14
15 On December 29, 2016, Imperial submitted to the Division certifications for
16 3rd and 4th quarter TTHM MCL violation public notifications. The notification
17 was issued on December 29, 2016 and included violations for both 3rd and
18 4th quarter 2016.

19
20 Action Item 2 of the September 25, 2015 inspection letter required Imperial
21 to submit an updated Operations Plan that included a section revising
22 chlorine contact time calculations based on E. coli as the indicator for
23 increased inactivation, based on **Tables 6 and 7** below.

Table 6: Giardia Inactivation Requirements

E.Coli MPN/100mL	Increased Log Reduction Required	Total Log Reduction Required	Credited Log Removal from Filtration	Total Log Inactivation Required from Disinfection
< 20	0	3	2.5 (conventional)	0.5
≥ 20	0.5	3.5		1.0
≥ 40	1	4		1.5
≥ 100	1.5	4.5		2.0
≥ 200	2	5		2.5

Table 7 Virus Inactivation Requirements

E.Coli MPN/100mL	Increased Log Reduction Required	Total Log Reduction Required	Credited Log Removal from Filtration	Total Log Inactivation Required from Disinfection
< 20	0	4	2.0 (conventional)	2.0
≥ 20	0.5	4.5		2.5
≥ 40	1	5		3.0
≥ 100	1.5	5.5		3.5
≥ 200	2	6		4.0

In response to Division's November 12, 2015 inspection letter , Imperial submitted a letter stating that they were working on the Operations Plan revision. However, to date an updated Operations Plan has not been submitted to the Division. The August 2016 Monthly Summary of Monitoring for Surface Water Treatment Regulations indicates that Imperial is intermittently using total coliform, instead of E. coli, as the indicator for increased activation.

During a phone coversation on December 27, 2016, Imperial staff stated that in response to Governor Jerry Brown's April 25, 2014 "Executive Order to Redouble State Drought Actions" the city had significantly reduced their distribution system flushing frequency.

DETERMINATION

Based on the above Statement of Facts, the Division has found that Imperial has violated the CHSC, Section 116555. Specifically, Imperial has failed to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.

The Division determined that for 3rd quarter of 2016, Imperial violated CCR, Title 22, §64537(d) for failure to submit an OEL report to the Division no later than 90 days after being notified of the analytical result that caused the OEL exceedance.

The Division determined that Imperial violated CCR, Title 22, §64469(c) for failure to submit the laboratory results via EDT by the 10th day of the month following the monitoring quarter for DBPR samples collected on January 14, 2016 and on April 11, 2016.

The Division has determined that for 3rd and 4th quarters of 2016, Imperial violated CCR, Title 22, §64533(a) for the LRAA TTHM MCL at the Site 3 sample site.

Finally, the Division determined that for 3rd of 2016, Imperial violated CCR, Title 22, §64463.4(b) for failure to timely issue public notification.

DIRECTIVES

Imperial is hereby directed to take the following actions:

1. At all times subsequent to this Citation, comply with CCR, Title 22, §64533.
2. Starting on July 1, 2016, Imperial shall submit all documents to the Division following the procedures described in the District 14 guidelines for electronic submission to the Electronic Content Management (ECM) system, current version dated June 29, 2016. (Appendix 4).
3. Not later than ten (10) days following the date of compliance with the TTHM LRAA MCL, demonstrate to the Division that the water delivered by the Water System complies with the TTHM LRAA MCL.
4. Within 30 days of receiving laboratory analysis indicating a LRAA MCL violation, Imperial shall give public notification of the TTHM LRAA MCL violations in accordance with CCR, Title 22, Section 64463.4 and the Spanish language public notification requirements of CCR, Title 22, §64465(c)(2). Public notice shall be via 1. Mail or direct delivery to each customer, and 2. Posting notice using one or more of the following methods: posting on the internet and/or local newspaper, posting in conspicuous public spaces served by Imperial, and delivery to community organizations. A draft notification shall be submitted to the Division for review and approval prior to conducting public notification. The public notice shall be updated quarterly with the most recent TTHM results.

5. Within 10 days of posting public notification, Imperial shall provide to the Division certification of public notification using the enclosed form (Appendix 5).

6. On or before **March 10, 2017**, Imperial shall submit to the Division an Operational Evaluation Level (OEL) Report. Imperial shall prepare and submit a completed OEL Report for any future OEL exceedances. OEL Reports shall be submitted to the Division no later than 90 days after being notified of the analytical result that caused the OEL exceedance.

7. Imperial shall include information regarding the TTHM MCL violation identified in this Citation in the 2016 Consumer Confidence Report, which shall be completed and distributed to customers by July 1, 2017. A draft of the 2016 Consumer Confidence Report shall be submitted to the Division for review and approval prior to distribution and/or posting.

8. Imperial shall perform quarterly TTHMs and HAA5s monitoring at the designated locations during the months of February, May, August, and November 2017 as follows:)

- a. The DBP monitoring data shall be submitted via EDT to the following PS Codes:

Sample Site	PS Code	Location
Site 3	1310006-900	Cedro St
Site 6	1310006-901	5th & Imperial
Site 8	1310006-902	14th & O St
Site 1	1310006-903	W Aten Rd & Sandalwood Glen Ave

- b. Imperial shall ensure the contracted laboratory EDTs the analysis results for total trihalomethanes and haloacetic acid analyte levels, and all of the disinfection byproduct sub-species. The complete list of DBP analytes is listed in the table below:

Analyte	Sub-Species
Total Trihalomethanes (TTHMs)	Bromodichloromethane
	Bromoform
	Chloroform (Trichloromethane)
	Dibromochloromethane
Haloacetic Acids (HAA5)	Monochloroacetic Acid (MCAA)
	Dichloroacetic Acid (DCAA)
	Trichloroacetic Acid (TCAA)
	Monobromoacetic Acid (MBAA)
	Dibromoacetic Acid (DBAA)

- c. Imperial shall conduct chlorine residual monitoring and reporting at the Stage 2 DBPR locations.
- d. Imperial shall submit laboratory analysis hardcopies, chain of custody and a signed Compliance Calculation and OEL Spreadsheet forms, to the Division by the 10th day of the month following the monitoring quarter.
9. On or before **June 10, 2017**, Imperial shall submit a revised Operations Plan that includes the following at a minimum:

- a. Source bacteriological water quality samples shall be collected from the canal influent into the first pond prior to the addition of any chemicals.
- b. Source water monitoring for E. coli using density analysis shall be performed no less than once per month.
- c. Giardia and virus inactivation shall be provided based on the most recent raw water E. coli analysis results, as shown in Table 6 & 7, above.
- d. Following the implementation of increased inactivation, the water treatment plant can return to the minimum levels of inactivation when a raw water E. Coli result is < 20 MPN/100 mL. Imperial can perform raw water E. Coli monitoring on a more frequent basis than the monthly minimum required. (e.g. weekly or daily) in order to obtain an E. Coli result < 20 MPN/100 mL.
- e. The water treatment plant shall maintain Division approved alarm set points. The alarm set points shall be clearly shown in a summary table.

10. By **April 28, 2017**, Imperial shall submit a TTHM Compliance Plan, including cost estimates and project schedule for any proposed treatment or distribution system modifications that evaluates options for meeting the TTHM standard.

All submittals required by this Citation shall be electronically submitted to the Division at the following address. The subject line for all electronic submittals corresponding to this citation shall include the following information: City of Imperial, 1310006, Citation 05-14-17C-001 and title of the document being submitted.

Sean Sterchi

DDWSanDiego@Waterboards.ca.gov

The State Board reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Imperial of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

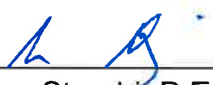
This Citation shall apply to and be binding upon the Imperial, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Imperial shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Citation.



Sean Sterchi, P.E.
District Engineer
Division of Drinking Water
State Water Resources Control Board

1/20/17

Date

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health,
Imperial County Public Health Department

Appendices:

1. Applicable Statutes and Regulations
2. Compliance Monitoring Plan
3. Notice of Violation, Issued May 4, 2016
4. Electronic Content Management Guide, dated June 29, 2016.
5. Public Notification Certification

Certified Mail No. 7009 3410 0002 0564 8179

Appendix 1

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 05-14-17C-001

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555 states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.
- (2) Will not be subject to backflow under normal operating conditions.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116650 states in relevant part:

- (a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

California Code of Regulations, Title 22 (CCR):**CCR Title 22, §64463.4, subsection (a) provides, in relevant part:**

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
 - (1) Any violation of the MCL, MRDL, and treatment technique requirements except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
 - (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
 - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:
 - (1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
 - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
 - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
 - 1. Publication in a local newspaper;
 - 2. Posting in conspicuous public places served by the water system, or on the Internet; or
 - 3. Delivery to community organizations.
 - (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 - 1. Publication in a local newspaper or newsletter distributed to customers;
 - 2. E-mail message to employees or students;
 - 3. Posting on the Internet or intranet; or
 - 4. Direct delivery to each customer.

CCR Title 22, §64465, subsection (c) provides, in relevant part:

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or
2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language;

CCR Title 22, §64469, subsection (c) provides, in relevant part:

(c) Analytical results shall be reported to the State Board electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.

CCR, Title 22, §64533 provides, in relevant part:

(a) Using the monitoring and calculation methods specified in sections 64534, 64534.2, 64535, and 64535.2, the primary Maximum Contaminant Level (MCL) for the total trihalomethanes (TTHMs) shown in Title 22 Table 64533-A shall not be exceeded in drinking water supplied to the public.

Table 64533-A

*Maximum Contaminant Levels and Detection Limits for
Purposes of Reporting Disinfection Byproducts*

Disinfection Byproduct	Maximum Contaminant Level (mg/L)	Detection Limit for Purposes of Reporting (mg/L)
Total trihalomethanes (TTHM)	0.080	
Bromodichloromethane		0.0010
Bromoform		0.0010
Chloroform		0.0010
Dibromochloromethane		0.0010
Haloacetic acids (five) (HAA5)	0.060	
Monochloroacetic Acid		0.0020
Dichloroacetic Acid		0.0010
Trichloroacetic Acid		0.0010
Monobromoacetic Acid		0.0010
Dibromoacetic Acid		0.0010

CCR Title 22, §64535.2, subsection (e) provides, in relevant part:

(e) Total Trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5) MCL compliance, as monitored pursuant to section 64534.2(d), shall be determined as follows:

(1) For systems monitoring quarterly, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCLs specified in section 64533;

(4) If the LRAA exceeds the MCL, calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters), the system is in violation of the MCL and shall notify the public pursuant to sections 64463, 64463.4, and 64465, including the language in appendix 64465-G, in addition to reporting to the Department pursuant to sections 64537 through 64537.6."

CCR Title 22, §64537 provides, in relevant part:

(a) Systems required to sample quarterly or more frequently, pursuant to section 64534.2, 64534.4, or 64534.6, shall report to the State Board within 10 days after the end of each quarter in which samples were collected according to section 64469(c), notwithstanding the provisions of sections 64469(a) and (b). Systems required to sample less frequently than quarterly shall report to the State Board within 10 days after the end of each quarter in which samples were collected. Systems shall report information to the State Board in conformance with the requirements of sections 64537.2, 64537.4, and 64537.6.

(d) Systems required to conduct an operational evaluation pursuant to section 64534.2(d)(6) shall submit a written report of the evaluation to the State Board no later than 90 days after being notified of the analytical result that caused the OEL exceedance. Systems shall make the written report available to the public upon request. If the State Board approves the system's written request to limit the scope of the evaluation under section 64534.2(d)(6), the system shall keep the written approval with the completed report.

CCR Title 22, §64537.2 provides, in relevant part:

Systems shall report to the State Board the information specified in table 64537.2-B.

Table 64537.2-B
TTHM and HAA5 Reporting

If the system is monitoring under the requirements of section 64534.2(d) for...

The system shall report...

TTHM and HAA5

- (a) For each monitoring location:
- (1) The number of samples taken during the last quarter;
 - (2) The date and results of each sample taken during the last quarter;
 - (3) The arithmetic average of quarterly results for the last four quarters (LRAA);
 - (4) Whether the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters;
 - (5) Whether, based on section 64535.2(e), the MCL was violated at any monitoring location; and
 - (6) Any operational evaluation levels that were exceeded during the quarter and, if so, the location and date, and the calculated TTHM and HAA5 levels.

Appendix 2



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

September 14, 2012

Jackie Loper
Public Services Director
420 South Imperial Ave.
Imperial, Ca 92251

Dear Mr. Loper:

**CITY OF IMPERIAL, SYSTEM NO. 1310006
STAGE 2 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE
COMPLIANCE MONITORING PLAN**

The purpose of this letter is to serve as a reminder of the requirements and impending deadlines associated with the Federal - Stage 2 Disinfection Byproduct Rule (Stage 2 DBPR). The letter addresses the following issues:

- Review and approval of City of Imperial (Imperial) Stage 2 DBPR Compliance Monitoring Plan (CMP)
- Reporting Requirements
- Reduced Monitoring Criteria
- Summary of Operational Evaluation Level (OEL) Exceedance Requirements

Per Stage 2 DBPR regulations Imperial is a Schedule 3 system. Schedule 3 systems are defined as systems serving 10,000 to 49,999 people, or belonging to a combined distribution system in which the largest system serves 10,000 to 49,999 people. However, Imperial submitted a CMP as part of the Initial Distribution System Evaluation (IDSE) report as a system with less than 10,000 people. In 2003, Imperial's population was 8,076; however, subsequent population growth has resulted in an increase in population to 14,758. Imperial's original CMP identified two sampling locations on a quarterly monitoring frequency. However, Imperial's current population requires four sampling locations on a quarterly monitoring frequency.

Stage 2 DBPR CMP

The locations listed in Table 1 below are the approved Stage 2 sample locations. Please bring to our attention any discrepancies or requests for proposed location changes.

Table 1. Stage 2 Sample Locations

Stage 2 Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
Site 3	1310006-900	Cedro St	Main Zone - SE	Imperial Water Treatment Plant (WTP)– site is close to Aten Tank
Site 6	1310006-901	5th & Imperial	Main Zone - Center	Imperial WTP – site is close to WTP
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Site 1	1310006-903	W Aten Rd & Sandalwood Glen Ave	Main Zone - SW	Imperial WTP – site is close to WTP

Please submit a revised system map showing the approved sampling locations **by September 1, 2013**.

As a Schedule 3 system Imperial must begin using a CDPH approved CMP by October 1, 2013 and must begin sampling in fourth quarter 2013. Based on the IDSE Report, Imperial must monitor in the second week in the months of March, June, September, and December. Imperial's first round of Stage 2 DBPR monitoring is scheduled to begin during the week of October 14th, 2013. As a reminder, for the first three quarters of 2013, please continue compliance monitoring for total trihalomethanes (TTHM) and haloacetic acids (HAA5) per the Stage 1 DBPR.

Please note Imperial is required to conduct the following monitoring and reporting as well:

- Chlorine residual monitoring at the new Stage 2 DBPR locations
- Total organic carbon (TOC) and alkalinity as per the CDPH approved Operations Plan for Imperial's Water Treatment Plant. Please note, surface water treatment plants must monitor for TOC to be eligible for Stage 2 DBPR reduced monitoring.

Reporting Requirements

Table 1 above lists the new PS Codes that have been assigned to each Stage 2 DBPR monitoring location. Imperial must submit the results electronically using these PS Codes. In addition, laboratory hardcopies must be submitted to the San Diego District office by the 10th day of the month following the monitoring quarter along with the signed Compliance Calculation and OEL Spreadsheet forms (attached). Information on the electronic data transfer (EDT) process can be viewed at the website listed below.

<http://www.cdph.ca.gov/certlic/drinkingwater/Pages/EDT.aspx>

Reduced Monitoring

The criteria to qualify for reduced TTHM and HAA5 monitoring remains consistent with those included in the Stage 1 DBPR. Systems may qualify for reduced monitoring if:

TTHM locational running annual average (LRAA) levels at each monitoring location is no more than 40 parts per billion (ppb), and;

HAA5 LRAA levels at each monitoring location is no more than 30 ppb, and;

The annual average TOC level at the influent of each treatment plant is 4.0 parts per million (ppm) or less for surface water systems.

Note that reduced monitoring is not allowed on a location-by-location basis. All sites must meet the criteria in order for the system to qualify for reduced monitoring. If your system meets these criteria, please contact the San Diego District office to discuss the reduced monitoring request process.

Operational Evaluation Levels (OELs) & OEL Report

Please note that compliance with each locational OEL is a new requirement. The OEL is a LRAA threshold meant to help systems identify if they are in danger of exceeding the MCL in the following quarter. The OEL is calculated in the following manner

$$OEL = \frac{Quarter\ 1 + Quarter\ 2 + (2 * Quarter\ 3)}{4}$$

If the calculated OEL for any quarter exceeds the limits of 80 ppb for TTHM or 60 ppb for HAA5, then the system is required to perform an Operational Evaluation and submit an Operational Evaluation Report to CDPH no later than 90-days after being notified by the laboratory of the analytical result that causes the OEL to exceed the limit.

The Operational Evaluation process is useful in that it alerts the system to the potential of a MCL violation, if DBPs remain at the current level. Additionally, the Operational Evaluation Report encourages a review of source water quality, as well as treatment and distribution system operational changes that may have contributed to the elevated

DBP levels. Systems are required to perform a complete Operational Evaluation (e.g. evaluation of changes in source water quality, treatment, and distribution system conditions) unless sufficient causal evidence of the exceedance is presented to CDPH and CDPH grants approval to conduct a limited scope evaluation. The limited scope evaluation submittal deadline is the same as a full Operational Evaluation Report.

CDPH encourages all systems to review the US EPA's *Stage 2 Disinfectants and Disinfection Byproducts Rule Operational Evaluation Guidance Manual*, 815-R-08-018, available online at:

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CDPH further encourages all systems that have the potential to exceed the OEL, based on Stage 1 and IDSE monitoring data, to prepare for a Stage 2 DBPR exceedance and begin collecting the data that is necessary to file the Operational Evaluation Report, if not already doing so. Below is a partial list of historical data that is required for filing the report.

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Under the Treatment Evaluation, these elements include, but are not limited to, documenting changes in: flow rate, chemical feed rate and manufacturer, equipment failures, DBP precursors, effluent chlorine residual, etc.

Under the Distribution Evaluation, these elements include, but are not limited to, documenting changes in: localized temperature and residual trends, O&M events, systemic and high user demand patterns, etc.

Please see the attached evaluation forms for a complete listing of the historical data elements that are necessary for filing an Operational Evaluation Report.

Stage 2 Reporting Requirements

Imperial must report quarterly Stage 2 monitoring results and OEL results to CDPH within 10 days after the end of each quarter in which samples were collected. Please note that CDPH requires both EDT and hard copy submittals of all Stage 2 results. Please see the attached Compliance Calculation and OEL Spreadsheet for the wet signature submittal forms.

Mr. Loper
September 14, 2012

City of Imperial
System No. 1310006

Your attention to this matter is greatly appreciated. If you have any questions, please contact Mr. Scott Ketcham at (619) 525 4395.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Sterchi', is positioned above the printed name.

Sean Sterchi, P.E.
District Engineer

Enclosures:

- Compliance Calculation & OEL Spreadsheet
- OEL evaluation forms.

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County
Public Health Department

Stage 2 DBP-Quarterly TTHM Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 Year: _____ Quarter: _____

Sample Date (month/day):	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
6												
8												
1												
Number of Samples Taken												

(a) **Operational Evaluation Level (OEL)** means the sum of the 2 previous quarter's TTHM results plus twice the current quarter's TTHM result, divided by 4 to determine an average.

Example: 4th Qtr OEL =
$$\frac{(1st\ Qtr\ TTHM\ result) + (2nd\ Qtr\ TTHM\ result) + [2 \times (3rd\ Qtr\ TTHM\ result)]}{4}$$

(b) **Location Running Annual Average (LRAA)** means the average of TTHM results for samples taken at a particular monitoring location during the previous four calendar quarters.

Example: 4th Qtr LRAA =
$$\frac{(1st\ Qtr\ TTHM\ result) + (2nd\ Qtr\ TTHM\ result) + (3rd\ Qtr\ TTHM\ result) + (4th\ Qtr\ TTHM\ result)}{4}$$

(c) If OEL exceeds the TTHM MCL, system must conduct an operational evaluation and submit a report to CDPH no later than 90 days after being notified of the analytical result that caused the OEL exceedance. If LRAA exceeds the TTHM MCL, system must conduct public notification.

(d) If any individual quarter's result will cause the LRAA to exceed the TTHM MCL, the system is out of compliance at the end of that quarter.

Comments:

Signature

Date

Stage 2 DBP-Quarterly TTHM Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____

City of Imperial

System No.: _____

1310006

Year: _____

Quarter: _____

Year: Quarter:	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL ?												
6												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL ?												
8												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL ?												
1												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL ?												

Comments:

Signature

Date

Stage 2 DBP-Quarterly HAA Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 Year: _____ Quarter: _____

Sample Date (month/day)	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
6												
8												
1												
Number of Samples Taken												

(a) **Operational Evaluation Level (OEL)** means the sum of the 2 previous quarter's HAA results plus twice the current quarter's TTHM result, divided by 4 to determine an average.

Example: 4th Qtr OEL =
$$\frac{(1st\ Qtr\ HAA\ result) + (2nd\ Qtr\ HAA\ result) + [2 \times (3rd\ Qtr\ HAA\ result)]}{4}$$

(b) **Location Running Annual Average (LRAA)** means the average of HAA results for samples taken at a particular monitoring location during the previous four calendar quarters.

Example: 4th Qtr LRAA =
$$\frac{(1st\ Qtr\ HAA\ result) + (2nd\ Qtr\ HAA\ result) + (3rd\ Qtr\ HAA\ result) + (4th\ Qtr\ HAA\ result)}{4}$$

(c) If OEL exceeds the HAA MCL, system must conduct an operational evaluation and submit a report to CDPH no later than 90 days after being notified of the analytical result that caused the OEL exceedance. If LRAA exceeds the TTHM MCL, system must conduct public notification.

(d) If any individual quarter's result will cause the LRAA to exceed the HAA MCL, the system is out of compliance at the end of that quarter.

Comments:

Signature

Date

Stage 2 DBP-Quarterly HAA Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 Year: _____ Quarter: _____

Year: Quarter:	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
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1												
Running Annual Average												
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Operational Evaluation Level OEL												
OEL≤MCL?												

Comments:

Signature

Date

Appendix 3



State Water Resources Control Board

Division of Drinking Water

May 4, 2016

Mr. Jackie Loper
Public Services Director
City of Imperial
420 South Imperial Ave
Imperial, CA 92251

CITY OF IMPERIAL, SYSTEM NO. 1310006

NOTICE OF VIOLATION: STAGE 2 DISINFECTION BYPRODUCTS RULE

This letter is a Notice of Violation (NOV) as a result of City of Imperial's (City) failure to perform disinfection byproduct monitoring during the fourth quarter of 2015. In the attached Stage 2 Disinfection Byproduct Rule (DBPR) Compliance Monitoring Plan letter, dated September 14, 2012, the State Water Resources Control Board (State Board), Division of Drinking Water (Division) approved four (4) Stage 2 monitoring locations that are to be monitored quarterly in the second week in the months of March, June, September, and December.

On March 18th, 2016, the City staff notified the Division that DBPR samples were taken by City staff and submitted them to the ATS Lab for testing on October 14, 2015. The samples were shipped overnight on October 15, 2015 by DTEK Analytical Laboratories, Inc. to subcontracted laboratory BSK Associates Engineers & Laboratories (BSK). Per subcontracted laboratory BSK and primary laboratory ATS Laboratories responses (Attachment 1) dated October 19, 2015 and March 11, 2016, the samples were received by BSK at 6.8 degrees C (0.8 degree over the 6.0 degree analytical method limit); therefore, BSK did not perform the analysis. The City was not informed that the analysis was not performed until March 18, 2016. This City's DBPR monitoring plan requires quarterly monitoring in the months of March, June, September, and December.

In addition, DBPR samples were collected on January 14, 2016 and the laboratory results were submitted to the Division on April 11, 2016. This sample will be counted towards the 4th quarter 2015 sampling requirements. However, the results were not submitted to the State Board via electronic data transfer (EDT) to the SWRCB's water quality database as required by Title 22, CCR, Section 64469(c), and 64819.

The City collected samples in April 2016 and the laboratory results and chain of custody form were submitted to the Division on May 4, 2016. These samples will be counted towards the 1st quarter 2016 sampling requirements.

The monitoring summarized above is a violation of Health and Safety Code Section 116385 and Title 22, California Code of Regulations (CCR), Section 64534 and Section 64537 for failing to complete the monitoring and reporting requirements for disinfection byproducts for the 4th quarter of 2015.

For future reference, the most recent version of the delinquent monitoring list is available on-line at the link below and may assist the City with confirmation of the laboratory's EDT:

<https://sdwis.waterboards.ca.gov/PDWWW/>

Directives:

1. **By the end of June 2016**, the City shall monitor for total trihalomethanes (TTHM) and haloacetic acids (HAA5) at following sampling locations.

Table 1. Stage 2 Sample Locations

Stage 2 Sample Site	PS Code	Location	Pressure Zone	Source Reservoir
Site 3	1310006-900	Cedro St	Main Zone - SE	Imperial Water Treatment Plant (WTP)– site is close to Aten Tank
Site 6	1310006-901	5th & Imperial	Main Zone - Center	Imperial WTP – site is close to WTP
Site 8	1310006-902	14th & O St	Main Zone - NE	Imperial WTP – site is close to Shop Tank (near WWTP)
Site 1	1310006-903	W Aten Rd & Sandalwood Glen Ave	Main Zone - SW	Imperial WTP – site is close to WTP

2. Thereafter, the City shall perform quarterly TTHMs and HAA5s monitoring at the designated locations during the months of March, June, September and December 2016, per the City's Division approved Compliance Monitoring Plan (CMP) dated September 14, 2012 (Attachment 2).
3. In addition to TTHM and HAA5 monitoring the City shall conduct the following monitoring and reporting:
 - Chlorine residual monitoring at the Stage 2 DBPR locations;
4. Table 1, above, lists the PS Codes that have been assigned to your Stage 2 DBPR monitoring locations. The certified laboratory performing the analysis shall

submit the results electronically using these PS Codes. Information on the electronic data transfer (EDT) process can be viewed at the websites listed below.

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml
<https://sdwis.waterboards.ca.gov/PDWW/>

5. The City shall clearly mark the laboratory chain of custody form with the sampling locations PS Codes and request for the analysis to be submitted via EDT.
6. Laboratory analysis hardcopies shall be submitted to the San Diego District office by the 10th day of the month following the monitoring quarter along with the signed Compliance Calculation Spreadsheet forms (Attachment 3).
7. The City shall include the following violations in the 2015 Consumer Confidence Report, which must be completed and distributed by July 1, 2016. A draft of the 2015 Consumer Confidence Report shall be submitted to the Division for review and approval prior to distribution and/or posting.
 - a. Failure to monitor DBPR for 4th quarter 2015.
8. The City shall include the following violations in the 2016 Consumer Confidence Report, which must be completed and distributed by July 1, 2016. A draft of the 2015 Consumer Confidence Report shall be submitted to the Division for review and approval prior to distribution and/or posting.
 - a. Failure to monitor DBPR for 1st quarter 2016 per the approved CMP (not collected in March 2016).
9. The City shall cease violating the monitoring and reporting requirements in accordance with Title 22, CCR, Section 64469(c).
10. **Within 30 days of receipt of this letter**, the City shall electronically submit the delinquent data (January 2016 and April 2016 sample results) to the State Board via EDT. Please instruct your laboratory to EDT individual TTHM and HAA5 constituents along with TTHM and HAA5 results using the assigned PS Codes in Table 1 below within 30 days of issuance of this Notice of Violation. Failure to EDT may result in further enforcement action.

Please instruct your laboratory that in addition to the TTHMs and HAA5 analyte levels, all disinfection byproduct sub-species must also be submitted via EDT. The complete list of DBP analytes is listed in Table 2, below.

Mr. Loper
May 4, 2016

City of Imperial
System No. 1310006

Table 2. Stage 2 DBPR Analyte STORETS

Analyte	Sub-Species	STORET
Total Trihalomethanes (TTHMs)		82080
	Bromodichloromethane	32101
	Bromoform	32104
	Chloroform (Trichloromethane)	32106
	Dibromochloromethane	32105
Haloacetic Acids (HAA5)		A-049
	Monochloroacetic Acid (MCAA)	A-042
	Dichloroacetic Acid (DCAA)	77288
	Trichloroacetic Acid (TCAA)	82723
	Monobromoacetic Acid (MBAA)	A-041
	Dibromoacetic Acid (DBAA)	82721

Failure to comply with the Stage 2 DBPR monitoring and reporting requirements directed above may result in further enforcement action. If you have any questions regarding this letter, please contact Tuba Ertas at (619) 525-4159.

Sincerely,



Sean Sterchi, P.E.
District Engineer

Attachments:

- Attachment 1- Stage 2 Disinfectants and Disinfection Byproducts Rule Compliance Monitoring Plan letter dated September 14, 2012.
- Attachment 2- ATS, BSK and DTEK laboratories Response Emails
- Attachment 3- Compliance Calculation & OEL Spreadsheet

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County Public Health Department (w/o attachments)



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

September 14, 2012

Jackie Loper.
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420 South Imperial Ave.
Imperial, Ca 92251

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Mr. Loper
September 14, 2012

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Mr. Loper
September 14, 2012

City of Imperial
System No. 1310006

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Sincerely,

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Sean Sterchi, P.E.
District Engineer

Enclosures:

- Compliance Calculation & OEL Spreadsheet
- OEL evaluation forms.

cc: Jeff Lamoure, Deputy Director - Division of Environmental Health, Imperial County
Public Health Department

**ATS Laboratories
104 S. 8th Street
Brawley, CA 92227**

03/11/2016

To: Jackie Loper, City of Imperial

From: Dick Swenson, ATS Labs

RE: Q4 2015 DW Sample

We apologize for the missed communications surrounding the Q4 2015 DW sampling event that went awry. It all started when the samples were received by the subcontracting laboratory (BSK) at 6.8 degrees C, 0.8 degree over the 6.0 degree regulatory limit and they failed to notify us in a timely manner. The holding time and re-sampling window expired before we could remedy the situation. Since that time ATS has revamped its subcontracting and project management procedures to prevent these types of disconnections happening in the future.

I have attached copies of two memos from BSK to add clarity to the circumstances. Please note that the instruction "to cancel and client will not resample" was not an instruction ATS gave the BSK, but was a comment added by BSK.

Thank you for understanding the situation.

Sincerely,



Richard Swenson
President and QA Officer
ATS Laboratories

Subject: Adjusted statement

From: Mamie Zamora <mzamora@bskassociates.com>

Date: 3/9/2016 10:14 AM

To: Cris Kroeger <cris@dteklabs.com>

CC: Adam Trevarrow <atrevarrow@bskassociates.com>, Cheri Enos <cenos@bskassociates.com>, Mamie Zamora <mzamora@bskassociates.com>

Good Morning Cris,

When Dick called yesterday, he request that I release results for your internal project #15-4137-37 & 15-4138-41. My records indicate that WO #A5J1540 & WO #A5J1539 have Chain of Custody notes stating "To Cancel and Client will not resample" I understand that you made the request to cancel do to exceeding holding time. If your records differ, please let me know which BSK report you are needing.

BSK now accepts Visa, Master card, American Express and Discover credit cards

Sincerely,

Mamie J. Zamora

Project Coordinator

Accounts Receivable Specialist

BSK Associates

Engineers & Laboratories

1414 Stanislaus Street

Fresno, CA 93706

(559) 497-2888 x 111

(800) 877-8310 x 111

mzamora@bskassociates.com

www.bskassociates.com

BSK Associates provides analytical chemistry, construction observation, ecological services, environmental engineering, geotechnical engineering, construction materials testing, and water resources management.

P Please consider the environment before printing this e-mail.

Attachments:

Adjusted statement.pdf

265 KB

Subject: RE: DTEK Log # 15-4134 to 14-4137; 14139 to 15-4141
From: Adam Trevarrow <atrevarrow@bskassociates.com>
Date: 10/19/2015 10:06 AM
To: Cris Kroeger <Cris@dteklabs.com>

Good Morning,

I apologize you were not notified about these samples. I was out of the office on Friday afternoon and left instructions for you to be notified. This did come up slightly above temperature at 6.8 C as opposed to the acceptable limit of 6.0 C. If you have more volume to resample we can rush those results with no surcharge. Everything looked good with the bottles and ice but we suggest placing the ice next to the vials and then using bubble wrap around the ice and samples. The samples were somewhat insulated from the ice due to the wrapping. Thank you.

Sincerely,

Adam Trevarrow
Project Manager
BSK Associates
Engineers & Laboratories
1414 Stanislaus Street Fresno, CA 93706
559.497.2888 ext. 116
800.877.8310 ext. 116 (in CA)
Fax 559.485.6935
atrevarrow@bskassociates.com
www.bskassociates.com

BSK Associates provides analytical chemistry, construction observation, ecological services, environmental engineering, geotechnical engineering, construction materials testing, and water resources management. Please consider the environment before printing this e-mail.

-----Original Message-----

From: Cris Kroeger [<mailto:Cris@dteklabs.com>]
Sent: Monday, October 19, 2015 10:04 AM
To: Adam Trevarrow
Subject: DTEK Log # 15-4134 to 14-4137; 14139 to 15-4141

Hi Adam,

The above samples were shipped overnight on 10/15/15 and has been received at BSK. I would like to know if they were received at the proper temperature. These samples are for EDT reporting.

I will provide you the PS Code as soon as the client provides it to me.

Thank you,

Cris R. Kroeger
Operations Manager
DTEK Analytical Laboratories, Inc.
2722 Loker Avenue West, Suite B
Carlsbad, CA 92010
760-930-2555
E-mail: cris@dteklabs.com

Stage 2 DBP-Quarterly TTHM Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 Year: _____ Quarter: _____

Sample Date (month/day):	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
6												
8												
1												
Number of Samples Taken												

(a) **Operational Evaluation Level (OEL)** means the sum of the 2 previous quarter's TTHM results plus twice the current quarter's TTHM result, divided by 4 to determine an average.

Example: 4th Qtr OEL =
$$\frac{(1st\ Qtr\ TTHM\ result) + (2nd\ Qtr\ TTHM\ result) + [2 \times (3rd\ Qtr\ TTHM\ result)]}{4}$$

(b) **Location Running Annual Average (LRAA)** means the average of TTHM results for samples taken at a particular monitoring location during the previous four calendar quarters.

Example: 4th Qtr LRAA =
$$\frac{(1st\ Qtr\ TTHM\ result) + (2nd\ Qtr\ TTHM\ result) + (3rd\ Qtr\ TTHM\ result) + (4th\ Qtr\ TTHM\ result)}{4}$$

(c) If OEL exceeds the TTHM MCL, system must conduct an operational evaluation and submit a report to CDPH no later than 90 days after being notified of the analytical result that caused the OEL exceedance. If LRAA exceeds the TTHM MCL, system must conduct public notification.

(d) If any individual quarter's result will cause the LRAA to exceed the TTHM MCL, the system is out of compliance at the end of that quarter.

Comments:

Signature

Date

Stage 2 DBP-Quarterly TTHM Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 _____ Year: _____ Quarter: _____

Year: Quarter:	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
6												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
8												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
1												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												

Comments:

Signature

Date

Stage 2 DBP-Quarterly HAA Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 _____ Year: _____ Quarter: _____

Sample Date (month/day)	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
6												
8												
1												
Number of Samples Taken												

(a) **Operational Evaluation Level (OEL)** means the sum of the 2 previous quarter's HAA results plus twice the current quarter's TTHM result, divided by 4 to determine an average.

Example: 4th Qtr OEL =
$$\frac{(1st\ Qtr\ HAA\ result) + (2nd\ Qtr\ HAA\ result) + [2 \times (3rd\ Qtr\ HAA\ result)]}{4}$$

(b) **Location Running Annual Average (LRAA)** means the average of HAA results for samples taken at a particular monitoring location during the previous four calendar quarters.

Example: 4th Qtr LRAA =
$$\frac{(1st\ Qtr\ HAA\ result) + (2nd\ Qtr\ HAA\ result) + (3rd\ Qtr\ HAA\ result) + (4th\ Qtr\ HAA\ result)}{4}$$

(c) If OEL exceeds the HAA MCL, system must conduct an operational evaluation and submit a report to CDPH no later than 90 days after being notified of the analytical result that caused the OEL exceedance. If LRAA exceeds the TTHM MCL, system must conduct public notification.

(d) If any individual quarter's result will cause the LRAA to exceed the HAA MCL, the system is out of compliance at the end of that quarter.

Comments:

Signature

Date

Stage 2 DBP-Quarterly HAA Report for Disinfection Byproducts Compliance and Operational Evaluation (in µg/L or ppb)

System Name: _____ City of Imperial _____ System No.: 1310006 _____ Year: _____ Quarter: _____

Year: Quarter:	2013				2014				2015			
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.
3												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
6												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
8												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												
1												
Running Annual Average												
Meets MCL ?												
Operational Evaluation Level OEL												
OEL≤MCL?												

Comments:

Signature

Date

Appendix 4

State Water Resources Control Board
Division of Drinking Water

June 29, 2016

Guidelines for Electronic Submission of Documents

To ensure consistent and reliable processing of the documents you submit to the Division of Drinking Water (DDW), please follow the formatting, labeling, and submission procedures described below:

CREATION OF ELECTRONIC DOCUMENTS (PDF FILES)

For more efficient processing, we request that you submit all documents to DDW offices in a **Portable Document Format (PDF) file**.

Please note that after review of your submission, DDW staff may request a hardcopy of certain documents, particularly drawings or maps that require a large size to be readable. In other cases – for instance, where the evaluation of data is required – DDW staff may request that documents be submitted in other electronic formats

1) Convert your submittal into PDF format. The PDF file should:

- a. Have a one-to-one relationship between the document being created and the information within the document. For example: If you are submitting both monthly bacteriological results and a monthly treatment plant monitoring report, you would create two separate documents: one document labeled appropriately for the bacteriological results and one document labeled appropriately for the treatment plant monitoring report.
- b. Contain the entire document, maintaining organization and layout, including page orientation, size, margins, fonts, table formats, page numbers, etc.
- c. Be clear and legible.
- d. Be named per the instructions in Item #2 below.
- e. Allow the reviewer to copy text and images into common word processing documents. For scanned documents, the document should be processed using Optical Character Recognition (OCR). If you do not have this technology, we will attempt to process the document using OCR as deemed necessary.

Note: Where a signature is specifically required by law or regulation, you should sign the document prior to converting to a PDF file and maintain the signed hardcopy of the document in your records for the period of time prescribed in the law or regulation.

2) Name each individual PDF file as follows:

- a. Create a filename with the following information:
 - i. Water System Number—(e.g. 1234567)
 - ii. Water System Name—(e.g. ABC Water Company)
 - iii. Compliance Period—Year and month or quarter that the document covers, if applicable—(e.g. 2015July).
 - iv. Document Link—Use the following table to choose the Document Link that applies to the document you are submitting:

Document Link	Documents Pertaining to:
TCR	Monthly monitoring and summaries for the Total Coliform Rule and Revised Total Coliform Rule (RTCR) (routine distribution system bacteriological monitoring data) including triggered source water monitoring
SWTR	Monthly treatment plant monitoring reports for surface water
WTP	Monthly treatment plant monitoring reports, non-surface water
RAWB	Raw (source) water bacteriological data
RAWC	Raw water chemical monitoring data
LT2	Raw water monitoring in accordance with Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR)
LCR	Lead and copper tap sampling data
PN	Public notification documents
MRDL	Disinfectant running annual average reporting
DBP	Disinfection byproduct reporting
GP	Distribution monitoring for general physicals
FL	Fluoridation Monitoring
NIT	Distribution Nitrification Monitoring
QPR	Quarterly progress report
CCT	Corrosion Control Treatment related documents and reports
ENP	Emergency Notification Plan
RW	Recycled Water

Note: If there is not an applicable Document Link in the table above, use a word that describes the subject of the document you are submitting.

Example of complete filename: 1234567-ABC Water Company-2015July-TCR

SUBMISSION OF ELECTRONIC DOCUMENTS

1) Submission via Email

Note: DDW email servers can only receive emails less than or equal to 50 megabytes (50 MB) in size

Attach **one** PDF file to an email. Enter the same information in the Subject line of the email as you used in the filename for the attachment to the email (e.g.,

“1234567-ABC Water Company-2015July-TCR”); see Item # 2 above for instructions. Send to:

DDWSanDiego@Waterboards.ca.gov

2) Submission of files greater than 50 MB in size

- a. Split documents into files smaller than 50 MB total and email per instructions in #1 above; OR
- b. Upload your documents to a DDW FTP website. Contact the DDW District office that oversees your water system for further details; OR
- c. Transfer onto a CD-ROM. **After transfer of the document to CD-ROM, verify it is readable.** Label the jewel case or envelope of the CD-ROM with the water system number and name (e.g., “1234567-ABC Water Company”). Mail to the address listed below:

1350 Front Street Room 2050
San Diego, CA 92101

3) Submitting checks for payment of fees

The DDW does not accept electronic transfer of funds. Please continue to **mail** all checks to the address you normally send them to, along with a paper cover letter and any necessary attachments.

Special instructions regarding laboratories:

Please note that labs must continue submitting chemical monitoring data through electronic data transfer (EDT) using the established procedure, as described at:

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml.

Use of this guidance and updates:

Please be advised that not following the formatting guidelines above may cause a delay in the review of your submission, and you may be requested to resubmit document(s). This guidance may be updated periodically to reflect the evolving nature of the technology and the experience of those using this technology. You will be notified of any changes that affect your water system.

Appendix 5

Drinking Water Notification to Consumers

PROOF OF NOTIFICATION

Name of Water System: _____

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. _____

Consumers Notified _____ Yes _____ No

If not, Explain: _____

Date of Notification: _____

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

_____ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

_____ Newspaper (if the problem has been corrected). Attach a copy of Notice.

_____ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

_____ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Department approval). Attach copy of Notice.

I hereby declare the forgoing to be true and correct under penalty of perjury.

Dated: _____

Signature of Person Serving Notice

**** Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Department within 10 days of posting the notification.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.

